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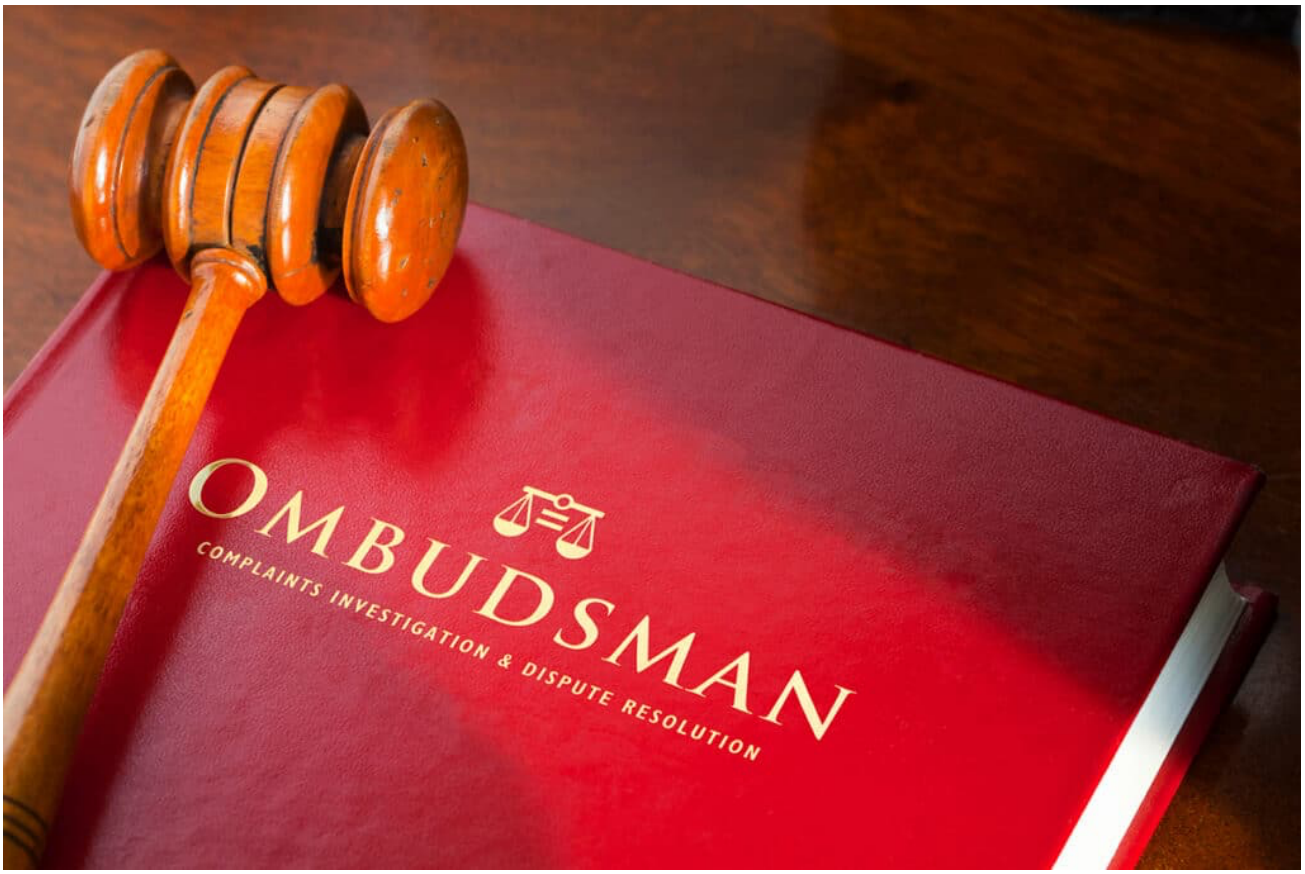
Gatekeeper of Rights V: ***Supranational Memory and Domestic Amnesia in Hungarian Rights Protections***



I. National Case Numbers (Hungary)

Ombudsman Case: EBF–AJBH–309–2025
Administrative Court Case: 7. Kpk. 750.239/2025/2
Data Protection Authority Case (NAIH): J-427-3/2025
Accreditation Committee Reference (MAB): MAB/477-4/2025

II. European Union Case Numbers

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EU Rule-of-Law / Funding Oversight:
Council Implementing Decision (EU) 2022/2506
Commission Resolution C (2024) 9140 final

III. Evidentiary Verification Statement

All case numbers, filings, appendices, legal submissions, and evidentiary materials can be independently verified through the author's **ORCID profile (0009-0005-4228-1124).**
The ORCID functions as the master directory containing:
The Administrative Obstruction in the European Union Medical Education: Series

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SSRN DOIs

ResearchGate uploads
Photographic appendices
Specimen deficiency documentation
Gatekeeper of Rights I–II
NAIH Data Breach filings
The EU Commission Filing (Ref. 86019)

IV. Scope of Evidence Included in This Dossier

Universal Identifier Page governs — and is cross-verified via
ORCID/SSRN/MAB/ECFMG/NAIH records — the following works:

Administrative Obstruction in EU Medical Education (Series I–IV)
Denied Access to the Scalpel for Dissecting the Specimen: A legal case study of academic obstruction from Semmelweis University
Specimen Deficiency as Educational Obstruction:
Gatekeeper of Rights I & II
Ghost Students: The Legal Fiction of FM/CV Status
Cross-Border Acknowledgment Reports (PIPER Framework)
Administrative Obstruction in the EU Medical Education VI: Systematic Failure
Over-Enrolled and Under-Served:
Oral Exams Without Standards:
NAIH Data Breach Filing & Evidence
EU Commission Complaint 86019

Abstract

In **November 2025,** the ***European Parliament*** adopted its **second interim report** on ***Hungary under Article 7(1) TEU (415–193–28),*** reiterating its classification as a "hybrid regime of electoral autocracy" and calling for tougher use of conditionality and budgetary tools. At the same time, ***Council Decision (EU) 2022/2506*** and a revised RRF/Repower EU plan have left most of Hungary's EU funding effectively frozen behind twenty-seven "super-milestones" on judicial independence, anti-corruption, and academic-freedom safeguards. This article argues that, against this backdrop, Hungary's higher-education sector now operates within a **split memory regime**: while supranational institutions diligently record structural rule-of-law failures, domestic watchdogs and quality-assurance actors increasingly cultivate **domestic amnesia**.

Using a detailed case study from Semmelweis University's English-language medical program—denial of access to compulsory dissection, an unsecured ***"Survey About Academic Progress"***, coerced OMHV questionnaire participation through priority exam registration, and a dean-level takedown threat against whistleblower publications—the article reconstructs how the ***Commissioner for Fundamental Rights (AJBH), the Equal Treatment unit, NAIH, and MAB*** generate file numbers but avoid merit-based decisions. The resulting **Ombudsman–court deflection loop** produces an illusory remedy: institutions exist and "coordinate" under Ebktv. 15/B and Ark. 48, yet nobody adjudicates the substance of the rights claims.

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Doctrinally, the article reads this configuration as a breach of Article 41 CFR's right to good administration, Article 47 CFR's right to an effective remedy, Article 13 CFR, and Article X of the Hungarian Fundamental Law on academic freedom. It concludes that supranational memory and budget conditionality have become the Union's only reliable levers for protecting student and educational rights in Hungary. It suggests indicators for integrating domestic archiving practices and institutional silence into the EU's 2026 Rule of Law cycle.

1 Introduction

In November 2025, the European Parliament adopted its second interim report under the Article 7 TEU procedure on Hungary, by **415 votes in favor, 193 against, and 28 abstentions, formally warning that Hungary's rule-of-law situation continues to "deteriorate" and reiterating its classification as a "hybrid regime of electoral autocracy".**[1] The report revisits twelve areas of concern, including judicial independence, systemic corruption, misuse of EU funds, media pluralism, academic freedom, and the implementation of judgments of the ***European Court of Human Rights and the Court of Justice of the European Union***, and calls on the Council and the Commission to move beyond purely **"preventive"** dialogue and to adopt concrete sanctions and budgetary measures if compliance does not improve.[2]

The Union's legislature thus consolidates a supranational record of Hungary's institutional regression. The ***Article 7*** report does not stand alone: it is layered upon successive ***Commission Rule of Law Reports***, conditionality decisions freezing or redirecting EU funds, and CJEU judgments upholding the legality of rule-of-law conditionality itself.[3] Together, these texts form a kind of **supranational memory** of Hungary's constitutional trajectory—public, archived, translated, cited across legal databases and political fora. Even when domestic authorities dispute their characterization, the documents persist as a durable ledger of systemic deficiencies and unremedied violations. [4]

Yet at precisely the moment when this external memory is thickening, key elements of Hungary's **domestic** rights-protection architecture are engaged in the opposite move: a selective erasure of their own historical record. In mid-November 2025, the Office of the Commissioner for Fundamental Rights (Alapvető Jogok Biztosának Hivatala, AJBH) launched a redesigned website. Investigative reporting by Qubit revealed that the migration coincided with the quiet removal of nearly twelve years of "elvi állásfoglalások" (opinion statements) issued by the deputy commissioner responsible for national minorities—among them detailed findings on Roma school segregation in church-run schools and other systemic minority-rights violations.[5] When pressed, AJBH stated that these opinions would not be restored because they were allegedly inconsistent with internal rules and therefore could not be treated as "official" documents on the new site.[6] Qubit and other outlets responded by republishing the deleted opinions in full, effectively creating a shadow archive of the ombuds institution's missing memory.[7]

This article treats that tension—between **supranational memory** and **domestic amnesia**—as the core problem of contemporary rights protection in Hungary. It is the fifth contribution in the **Gatekeeper of Rights I-IV** series, which examines the role of the Hungarian ombudsman and related oversight bodies in mediating between individual rights-holders and an

increasingly majoritarian state.[8] Whereas earlier papers in the series focused on procedural delay, non-communication, and the deflection of specific complaints, ***Gatekeeper of Rights V*** asks a more structural question: ***what happens when the institutions tasked with protecting fundamental rights start curating their own forgetting****?*

The article addresses this question through a ***micro-level case study*** in the higher education sector: the treatment of a foreign medical student enrolled in the English-language program at Semmelweis University in Budapest, HU. The case centers on the denial of access to core anatomy facilities and dissection opportunities despite valid student status and full tuition; the subsequent attempts to obtain remedy through ***AJBH (case EBF–AJBH–309–2025), the data-protection authority NAIH (J-427-3/2025), the Hungarian Accreditation Committee (MAB/477-4/2025), and the European Commission's rule-of-law complaint system (case 86019***); and the university's own efforts to suppress whistleblower publications documenting the dispute.[9] These interactions generate a dense paper trail—emails, official letters, court and authority references, and published case studies—which can be analyzed against the ***macro-level Article 7*** and conditionality framework.

Methodologically, the article combines doctrinal analysis with documentary case-study work. It draws on (i***) EU-level materials (Parliament resolutions, Commission rule-of-law reports, conditionality decisions), (ii) Hungarian legal sources (constitutional and statutory provisions on the ombudsman, higher-education and data-protection law, administrative-court practice), (iii) AJBH, NAIH, and MAB correspondence in the author's case, and (iv) independent media archives, including the Qubit series on the AJBH website purge***. The goal is not to relitigate the underlying academic dispute, but to use it as a lens through which to observe how **access to remedies, institutional memory, and oversight functions operate in practice** under prolonged EU scrutiny.

Conceptually, ***Gatekeeper of Rights V*** contributes to three overlapping debates. First, it speaks to the literature on ***EU rule-of-law enforcement and conditionality*** by showing how macro-level mechanisms (Article 7, budgetary conditionality, Charter-based enabling conditions) appear from the vantage point of a single rights-holder within a Member State that has been under monitoring for more than a decade. Secondly, it engages with scholarship on **national human rights institutions (NHRIs) and ombuds offices**, illustrating how formal independence and broad mandates can coexist with subtle techniques of self-neutralization, including the retrospective delegitimization and deletion of inconvenient decisions. Thirdly, it adds to the emerging body of work on academic freedom and the rights of foreign students in **Central and Eastern European higher education,** using the Semmelweis case as a micro-example of how administrative obstruction, reputational pressure, and retaliatory tactics can undermine both individual rights and the credibility of cross-border qualifications.

The argument proceeds in four steps. Section 2 sets out the analytical framework of ***"supranational memory"*** and **"domestic amnesia",** situating it within existing work on EU oversight, fragmentation of accountability, and the role of memory in legal orders. Section 3 reconstructs the EU-level record on Hungary from 2018 to 2025, with particular emphasis on **Article 7, rule-of-law conditionality**, and the explicit integration of ***academic-freedom safeguards into cohesion-policy conditionality.*** Section 4 turns to the domestic level, examining

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the institutional trajectory of AJBH and its 2025 website purge alongside the handling of the Semmelweis case by the ombudsman, NAIH, and MAB. Section 5 draws the strands together, arguing that the divergence between supranational memory and domestic amnesia is itself a rule-of-law problem with direct implications for cross-border trust in Hungarian degrees and rights-protection mechanisms. The conclusion reflects on the limits of external pressure when national watchdogs are willing to forget their own most critical findings—and on the potential of open-access academic publication to act as an alternative archive of contested rights claims.

In short, the article contends that Hungary's current configuration is not merely one of **"imperfect implementation"** or **"isolated abuses",** but of **structurally split memory**. While the Union records and remembers, domestic institutions delete and deny. The Semmelweis case offers a concrete example of how an individual rights-holder experiences this split, and how the gap between supranational and domestic memory can itself become a barrier to effective remedy.

2 Analytical frameworks: Supranational Memory and Domestic Amnesia

2.1 Law as an architecture of memory

Law not only regulates conduct; it also organizes **what a legal order chooses to remember and to forget**. Courts, parliaments, and oversight institutions continually produce texts—judgments, resolutions, reports, opinions—that record which facts, rights, and violations become part of the official narrative. Legal theorists have described this as a tension between *legal memory* and *civic amnesia*: on the one hand, the cumulative archive of decisions and statutes that stabilize a community's understanding of past wrongs; on the other, structured forms of forgetting, silence, or non-recording that remove uncomfortable events from institutional consciousness.[10] This literature shows that forgetting is not merely the absence of record, but often the product of deliberate choices about what is filed, published, indexed, or allowed to lapse.

Empirical work on memory and the law, though often focused on witness testimony, highlights a similar point from another angle: legal systems build procedures precisely because human memory is selective, fallible, and subject to distortion.[11] Archiving mechanisms—databases of judgments, accessible ombudsman opinions, searchable parliamentary documents—are meant to counteract this fragility by externalizing memory into durable, collectively accessible forms. When institutions decide **not** to record, declassify, or remove previously available material, they are not neutral; they are actively reshaping the boundaries of what can be invoked as precedent, pattern, or proof.

For this article, ***"memory"*** is therefore not understood metaphorically. It refers concretely to the sets of documents that are (***a) generated by public institutions in response to rights claims or systemic concerns, and (b) kept accessible enough to be retrievable, citable, and contestable by rights-holders, researchers, and oversight bodies. "Amnesia" denotes the inverse: institutional practices*** that prevent such documents from coming into being, or that later remove them from the official record, thereby interrupting the continuity of rights-based scrutiny.

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2.2 Supranational memory in EU rule-of-law enforcement

Within the European Union, this memory function is increasingly exercised at the **supranational** level. ***Article 7 TEU*** procedures, ***annual Rule of Law Reports***, infringement actions, budgetary conditionality decisions, and the case law of the Court of Justice together form a layered record of how the Union sees the constitutional trajectories of its Member States. In the ***Hungarian context, Venice Commission opinions, Council of Europe resolutions***, and the continuous monitoring of academic freedom and judicial independence have generated a dense set of texts over the last decade, describing recurring problems in judicial appointments, constitutional amendments, and the weakening of independent institutions. [12]

Scholarship on ***EU rule-of-law backsliding*** has highlighted how these instruments collectively act as **repositories of institutional memory**: they accumulate descriptions of systemic deficiencies year after year, even when political follow-up is hesitant or inconsistent.[13] In Hungary's case, this includes a well-documented sequence: early ***Venice Commission*** concerns about constitutional amendments and judicial retirement; ***critical Council of Europe and UN special-procedure reports; Commission Rule of Law Reports***; and, more recently, the deployment of the ***Rule-of-Law Conditionality Regulation*** and partial cohesion-fund freezes linked to corruption and academic-freedom safeguards.[14]

Academic literature on ***Hungary's higher-education*** **and research systems also feeds into this supranational memory**. Studies of academic freedom **under Viktor Orbán's governments, the expulsion of the Central European University, the restructuring of the *Hungarian Academy of Sciences,*** and the position of refugee scholars and foreign-language programs all portray a shift from liberal democracy to ***"hybrid" or "illiberal" governance***.[15] These analyses are not merely descriptive; they are themselves cited in **EU and Council of Europe** documents, and in transnational debates on how to measure and respond to rule-of-law backsliding.

In this article, ***"supranational memory"*** thus refers to the **cumulative archive of EU-level and Council of Europe texts**—Parliament resolutions, Commission reports, Venice Commission opinions, Special Rapporteur country reports, and similar documents—that:

1. Identify patterns of rights-endangering behavior in a Member State.
2. link them to specific legal obligations (**Article 2 TEU, Charter rights, ECHR, ESG/WFME standards);** and
3. remain accessible and citable regardless of changes in domestic political will.

The ***European Parliament's second interim Article 7 report on Hungary, and the Commission's rule-of-law*** and conditionality instruments discussed in the Introduction, are treated here as central pieces of that supranational memory. They provide the macro-level backdrop against which the Semmelweis whistleblower case and the AJBH website purge are read.

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2.3 Domestic amnesia, NHRIs and ombudsman institutions

If supranational memory is thickening, what is happening at the **domestic** level? In rights-protection theory, ***national human-rights institutions (NHRIs) and ombudsman offices*** are often described as ***"hinge"*** bodies: they mediate between individual complaints and structural problems, and between national systems and international oversight. The ***Paris Principles and subsequent Venice Commission doctrine*** emphasize independence from the executive, a broad mandate to investigate and report on human-rights issues, and a duty to publish findings in ways that enable public debate and follow-up. [16]

In Hungary, this role is formally assigned to the ***Commissioner for Fundamental Rights (AJBH)***. Recent scholarship traces the evolution of the institution from a **plural ombudsman system** (with separate commissioners for data protection, minority rights, future generations, etc.) to the post-2011 model in which a single Commissioner and two deputies concentrate these functions.[17] While the legal framework presents AJBH as an "A-status" NHRI, compliant with international standards, critics have noted that the consolidation of mandates has come with a **narrowing of practice**: fewer high-profile systemic investigations, more cautious public communication, and a tendency to avoid confrontation with politically sensitive policies.[18]

This article uses the term ***"domestic amnesia"*** to capture a specific subset of such practices: not only the failure to act, but the **active erasure or downgrading of an institution's own prior memory**. This may occur through:

- Restrictive publication policies (e.g., posting only short summaries of detailed findings, or de-listing older opinions from public databases).
- Retroactive reclassification of decisions (e.g., declaring that deputy-level views are no longer "official" and need not be preserved online).
- Procedural closures that prevent a case from generating any substantive written finding at all.

The AJBH website purge of minority-rights opinions in November 2025—a move justified by internal rule interpretations and reversed only partially, and then only via external media archives—is treated here as a paradigmatic example of domestic amnesia. [19], but the concept is broader. It also encompasses patterns in which administrative bodies, universities, or ministries avoid creating written records that could later be invoked as precedents or invoke data-protection and reputational concerns to remove previously public materials.

In the higher-education sector, this intersects directly with **academic freedom and non-discrimination guarantees**. Comparative work on academic freedom in Hungary documents how legal and institutional changes—targeted legislation, funding reallocations, governance reforms—have reduced the space for independent research and teaching, especially where foreign partners, politically sensitive topics, or minority groups are concerned.[20] When university leadership and national watchdogs jointly adopt narrow, unpublished, or unstable interpretive practices, the result is not only a chilling effect on speech, but a thinning of the documentary record that would otherwise allow domestic and supranational bodies to monitor compliance.

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2.4 Operationalizing the framework in the Semmelweis case

Applied to the Semmelweis University whistleblower case, the supranational memory / domestic amnesia framework operates on two axes:

1. **Level of governance** – supranational (EU/CoE) vs domestic (Hungarian institutions).
2. **Treatment of memory**: recording/archiving vs. forgetting/erasing.

This yields a simple but analytically useful matrix:

- **Supranational–Memory:** EU and Council of Europe bodies that *record* Hungary's systemic problems—**Article 7 reports, Rule of Law Reports, conditionality decisions, Venice Commission opinions** on institutional independence, UN and CoE monitoring reports. These documents establish a formal context in which complaints about access denial, discrimination, and retaliation in Hungarian higher education are not isolated but part of a documented pattern.
- **Supranational–Amnesia:** Gaps or ambiguities in EU-level action, such as the Commission's reluctance to treat specific education-sector issues as justiciable under EU law, or the absence of clear follow-up to **individual complaints (including case 86019)** despite their registration. This dimension is not the primary focus of *Gatekeeper of Rights V*, but it explains why supranational memory does not automatically translate into an adequate remedy.
- **Domestic–Memory:** Instances where Hungarian bodies do create records—NAIH's decision to open an ex officio investigation into the leaked "Survey About Academic Progress" spreadsheet (**J-427-3/2025**), MAB's accreditation-record correspondence (**MAB/477-4/2025**), court orders in the administrative case, and earlier AJBH reports on segregation and minority rights. These materials show that domestic memory is not absent; it is selective.
- **Domestic–Amnesia:** The core concern of this article: AJBH's refusal to publish or preserve specific categories of opinions; the **closure of the author's AJBH complaint on procedural grounds without substantive findings;** the use of informal threats by university leadership to remove whistleblower publications rather than issuing legally reasoned rebuttals; and broader patterns of under-reporting or non-recording in discrimination and academic-freedom disputes.

The analytical claim of ***Gatekeeper of Rights V*** is that the Semmelweis case sits precisely at the intersection of **strong supranational memory** and **weak, selectively curated domestic memory**. A foreign medical student can point to an abundant EU-level archive describing Hungary as a hybrid regime under prolonged ***rule-of-law scrutiny***, with documented academic-freedom and minority-rights concerns. Still, when he turns to the national ombudsman, data-protection authority, and accreditation bodies, he encounters procedural evasions, partial acknowledgments, and, in the case of AJBH's website, outright deletion of relevant historical material.

By making this memory split visible—and by publishing the case-study materials in open-access repositories that themselves form part of an emerging **transnational scholarly**

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memory—the article seeks to show that the problem is not merely one of "delay" or "misunderstanding". It is a structural mismatch between the levels at which rights violations are recorded and the levels at which they are supposed to be remedied. The sections that follow use this framework to read the **EU-level record on Hungary (Section 3)** and the domestic trajectory of AJBH, NAIH, MAB, and **Semmelweis University (Section 4)** as two sides of the same split-memory regime.

3 Supranational memory 2018–2025: the EU's evolving record on Hungary

3.1 Rule-of-law conditionality as a de facto quality-assurance lever over higher education

The Hungarian case also shows how rule-of-law budget instruments have evolved into a de facto quality-assurance lever over higher education. Formally, the ***Conditionality Regulation and Council Implementing Decision (EU) 2022/2506*** were designed to protect the Union budget from ***systemic rule-of-law risks*** in areas such as public procurement, anti-corruption enforcement, and judicial independence. In practice, once the **Commission suspended new Erasmus+ and Horizon Europe** contracts for universities operated by public-trust foundations, and once access to the ***Recovery and Resilience Facility (RRF***) was made contingent on the fulfilment of twenty-seven "super-milestones" on judicial independence and protection of EU financial interests, access to EU-level higher-education opportunities became directly dependent on domestic governance compliance.

Under the revised RRF and Repower EU plan, Hungary is nominally entitled to approximately €10.4 billion in grants and loans, yet by late 2025, only around €0.92 billion in Repower EU pre-financing had been disbursed. The remainder of the envelope remains locked until the super-milestones—which include reforms to judicial governance, anti-corruption frameworks, and the governance of foundation-run universities—are satisfactorily implemented. In parallel, foundation-run universities are excluded from new Erasmus+ and Horizon Europe contracts until academic freedom and governance concerns are addressed. The net effect is that university modernization, research collaborations, and student mobility in Hungary depend less on pedagogical planning than on the perceived credibility of the State's rule-of-law reforms.

In this article, this development links the macro- and micro-levels. At the macro level, the Union's rule-of-law instruments now function as a switch. When judicial independence and governance standards are not met, the switch turns off, cutting off participation in key higher-education programs and investments. At the micro level, this backdrop explains why a single dispute over access to dissection in an English-language medical program cannot be treated as an internal anomaly. It is part of the same governance environment that has left billions in EU funds undisbursed and has partially excluded entire cohorts of Hungarian students and staff from European higher-education networks.

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3.1 From Sargentini to the Court of Justice (2018–2021)

By late 2025, three facets of supranational supervision converged regarding Hungary. Firstly, on **November 25, 2025,** the ***European Parliament*** adopted a ***second interim report*** on ***Hungary pursuant to Article 7(1) TEU***, with **415 votes in favor, 193 against, and 28 abstentions**. The report expressed concern that the country's rule-of-law situation continues to "deteriorate" and reaffirmed its classification as a "hybrid regime of electoral autocracy." The document assesses twelve areas of concern, including electoral integrity, judicial independence, misuse of EU funds, academic freedom, and the proliferation of unlabeled AI-generated political content and deepfakes ahead of the 2026 elections. Secondly, pursuant to ***Council Implementing Decision (EU) 2022/2506,*** the Union suspended approximately €6.3 billion in cohesion funds—constituting 65% of the three operational programs—due to systemic deficiencies in public procurement, conflicts of interest, and anti-corruption enforcement, which were deemed to violate the principles of the rule of law. Thirdly, in June 2025, the ***Venice Commission issued a strong critique of Act LXXIX of 2024***, which amended Hungary's electoral legislation, in Opinion CDL-AD (2025) 018. The opinion highlighted concerns regarding the expedited legislative process, the absence of substantive consultation, and the codification of detailed constituency boundaries, all of which pose risks to equal suffrage and authentic electoral competition. The contemporary record of supranational engagement concerning Hungary's rule-of-law development commences with the European Parliament's adoption of the *Sargentini report* in ***September 2018. On September 12, 2018***, ***Parliament passed a resolution by 448 votes to 197, with 48 abstentions, urging the Council to determine, under Article 7(1) TEU***, whether there is a significant risk that Hungary may breach the values enshrined in Article 2 TEU. The resolution detailed concerns across multiple domains, including constitutional and electoral functioning, judicial independence, corruption and conflicts of interest, privacy and data protection, academic freedom, freedom of association, and minority rights, including those of refugees and Roma.

Hungary's government responded with a two-track strategy: public denunciation of the resolution as politically motivated, and legal challenge before the Court of Justice. In **Case C-650/18 *Hungary v Parliament*,** the government argued that the resolution was invalid because abstentions had not been counted as "votes cast" for the two-thirds majority required by Article 354 TFEU. [23] On June 3, 2021, the Grand Chamber dismissed the action. It held that Parliament's Article 7(1) resolution was reviewable under Article 263 TFEU, but that Parliament had correctly excluded abstentions from the denominator when calculating the two-thirds majority. [24] The Court thus confirmed both the legality of the 2018 vote and, more broadly, the justiciability of Parliament's role in initiating Article 7 procedures.

From a memory perspective, these steps are significant in two respects. First, the *Sargentini* resolution itself constitutes a **comprehensive narrative document**: it consolidates years of concerns into a singular, citable account of systemic regression within Hungary. Second, the Court of Justice of the European Union (CJEU) judgment ensures that this narrative remains unaltered in subsequent proceedings, on procedural grounds. Even if the Council does not proceed with sanctions under Article 7(2), the combined effect of the resolution and the judgment formalizes the designation of a "clear risk of a serious breach" within the Union's legal records.

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3.2 Budgetary conditionality and cohesion-fund freeze (2020–2022)

The next layer of supranational memory emerged not through Article 7 directly, but through the **Rule of Law Conditionality Regulation** and linked budgetary instruments. Adopted in late 2020, the Regulation creates a mechanism to suspend or restrict access to EU budget funds where ***generalized rule-of-law deficiencies*** in a ***Member State*** risk affecting sound financial management or the protection of the Union budget.[25] Hungary (along with Poland) challenged the Regulation before the Court of Justice; in its twin judgments of February 2022 the Court dismissed both actions, confirming the legality of using budgetary conditionality to respond to systemic rule-of-law concerns.[26]

In December 2022, the ***Council adopted Implementing Decision (EU) 2022/2506***, which imposed measures against Hungary under the Conditionality Regulation.[27] The Decision suspended 65% of the commitments under three cohesion-policy programs—amounting to roughly €6.3 billion—and prohibited the conclusion of new legal commitments under specific EU programs until Hungary implemented a series of "remedial measures" on public procurement, anti-corruption enforcement, and conflicts of interest.[28] It also froze approval of Hungary's Recovery and Resilience Plan, increasing the leverage of conditionality.

The Decision is more than a financial sanction. It is a **written diagnosis** of **systemic deficiencies in Hungary's governance,** detailing concerns about the independence and effectiveness of prosecutorial authorities, the weakness of anti-corruption frameworks, and the risks posed by concentrated public procurement practices.[29] The annexed remedial measures, including the establishment of an **"Integrity Authority"** and an anti-corruption task force, now form part of the EU's memory of what Hungary itself has acknowledged as necessary corrections. Subsequent civil-society assessments, including those by the **Hungarian Helsinki Committee and other NGOs**, track the partial and often cosmetic implementation of these measures, thereby adding further layers to the supranational record. [30]

3.3 Academic freedom and "horizontal enabling conditions" (2023–2025)

By **2023–2024, academic *freedom and higher-education*** governance had become explicitly integrated into this rule-of-law–budget nexus. The ***Commission's Rule of Law Reports*** on Hungary devoted separate sub-sections to academic freedom and university autonomy, citing cases such as the expulsion of the Central European University, the restructuring of the Hungarian Academy of Sciences, and the transfer of public universities to ***"public-interest asset-management foundations"*** with politically dependent boards.[31] These developments were linked to broader concerns about the chilling effect on critical research, the position of foreign-funded institutions, and the adequate protection of freedom of expression.

At the same time, the Commission used **"horizontal enabling conditions"** in cohesion policy—**Charter compliance requirements that Member States** must meet to access specific funds. In Hungary's case, enabling conditions under the ***Charter of Fundamental Rights,*** including ***academic freedom under Article 13***, were explicitly cited as benchmarks for the (non-

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)release of funds. [32] As a result, academic freedom moved from being a purely "soft law" topic to a parameter that can affect the disbursement of structural funds.

This linkage became apparent in September 2025, when the Commission approved the **reallocation of €545 million in previously frozen cohesion funds to Hungary**. Media reporting and Commission communication made clear that access to these funds was contingent on safeguards relating to **academic freedom and other rule-of-law concerns**.[33] Most of the wider envelope—**estimated at around €19–20 billion**—remained blocked, but the **partial release triggered debate in the European Parliament and among NGOs** about the credibility and consistency of conditionality.[34] Some MEPs warned that relaxing financial pressure without clear, measurable improvements in judicial independence, academic freedom, and anti-corruption practice risks turning conditionality into a political bargaining chip rather than a principled enforcement tool.[35]

From the perspective of this article, the specifics of the €545 million decision are less important than the fact that they are **documented**: the correspondence between Commission communications, parliamentary debates, and NGO analyses shows that academic freedom and higher-education governance now sit squarely within the EU's memory structure for Hungary's rule-of-law trajectory.

3.4 The 2025 second interim Article 7 report

The most recent and visible crystallization of supranational memory is the **European Parliament's second interim report on Hungary under Article 7 TEU,** adopted in November 2025. Building on the 2018 *Sargentini* resolution and eight years of subsequent monitoring, the report concludes that **Hungary's breaches of Article 2 TEU values** are not only unresolved but have **deepened** and reiterates Parliament's classification of the country as a **"hybrid regime of electoral autocracy". [36]**

The report reviews developments across twelve areas of concern, including the functioning of the electoral system, judicial independence, corruption and conflicts of interest, media freedom and pluralism, academic freedom, the rights of minorities (including Roma and LGBTQ+ persons), and asylum and migration. [37] It highlights, among other points:

- Continued political pressure on the judiciary and the National Judicial Council.
- Selective use of prosecutions and administrative sanctions against critics and independent actors.
- Misuse of state advertising and politically motivated business practices to favor pro-government media.
- Restrictions on peaceful assembly and the constitutional ban on Pride events.
- Failures to implement judgments of the European Court of Human Rights and decisions of the Court of Justice.
- Concerns about the use of unlabeled AI-generated political content and deepfakes in the run-up to the 2026 elections raise questions about electoral integrity and compliance with data protection laws. [38]

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The resolution calls on the **Council and the Commission** to **move from preventive dialogue to concrete action**, including progress towards the next stages of Article 7 and robust use of budgetary tools.[39] It explicitly links the state of the rule of law and fundamental rights to the credibility of EU values, warning that prolonged tolerance of backsliding undermines both internal trust and external human-rights diplomacy. Parliamentary debate around the report also underscores the perceived connection between systemic deficiencies in Hungary and specific sectors, including higher education and research. [40]

For present purposes, the significance of the 2025 interim report is twofold. First, it consolidates into a single text what had previously been scattered across Commission reports, Council decisions, Venice Commission opinions, and NGO shadow reports. Secondly, it **timestamps** the Union's awareness of these issues immediately before—and in some respects in parallel with—the events analyzed in this article: the AJBH website purge of minority-rights opinions and the handling of a concrete whistleblower case in the Semmelweis University medical program.

3.5 Positioning the Semmelweis case within supranational memory

The Semmelweis case reconstructed in this article does not feature by name in the **2025 Article 7 report**. Nor would one expect it to operate at a high level of abstraction, aggregating patterns across multiple sectors and institutions. Yet the case fits squarely into several of the report's categories of concern—academic freedom, non-discrimination, effective access to remedy, and the independence and effectiveness of oversight bodies.

By 2025, **supranational memory will already contain:**

- A parliament-validated description of **Hungary as a Member State at clear risk of serious breach of Union values (2018).**
- a **Court of Justice judgment upholding that description against a procedural challenge (2021).**
- a **Council Implementing Decision freezing large portions of cohesion funds due to systemic rule-of-law deficiencies (2022).**
- **Commission Rule of Law Reports and NGO** assessments explicitly flagging threats to academic freedom and higher-education autonomy (2020–2024).
- A conditional release of a limited amount of cohesion funding accompanied by academic-freedom safeguards (2025).
- An updated parliamentary report cataloguing deepening deficiencies across twelve areas of concern, including those directly relevant to higher education and minorities (2025).

The Semmelweis whistleblower case, therefore, unfolds **within** an environment that the Union has already described as systemically problematic. The denial of dissection access despite valid status, the use of opaque **"FM/CV" categories**, the publication of sensitive student data via an unsecured spreadsheet, the university's attempt to suppress whistleblower publications, and the ombudsman's reluctance to produce substantive findings are not isolated local misfortunes.

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They are ***micro-level manifestations*** of what the Union's supranational memory already records as persistent deficiencies in judicial independence, corruption control, academic freedom, minority protection, and access to remedy.

The remainder of the article draws on this supranational record not to claim that every individual decision at Semmelweis University was predetermined by national-level backsliding, but to argue that such decisions **cannot be understood in isolation**. Without the **Article 7** file, the conditionality decisions, the **Rule of Law Reports**, and the emerging academic literature on illiberal turns in Hungarian higher education, the Semmelweis case might appear as an unfortunate but idiosyncratic dispute between a student and a university. With that supranational memory in view, it becomes something else: a test of whether domestic watchdogs and institutions are willing to recognize, record, and remedy rights violations within a Member State that the Union itself now describes as an electoral autocracy.

4 Domestic amnesia in practice: AJBH, NAIH, MAB, and Semmelweis University

"Survey About Academic Progress"

An additional illustration of how administrative tools serve as leverage in the context of English-language programming concerns the university's internal evaluation questionnaire (OMHV). In an official Neptun message dated **December 4, 2025**, the Registrar notified students that **"exam registration will commence today at 14:00."** However, it was also specified that **"students who completed the OMHV questionnaire correctly and thoroughly have already received a Neptun message regarding early registration."** In programs with high enrollment and limited examination slots, obtaining priority access to registration constitutes a significant academic advantage: it impacts not only convenience but, in some instances, the ability to secure any examination opportunity at all. By conditioning this ***benefit on the completion of a nominally voluntary survey, the university effectively transforms feedback into coerced participation, thereby creating two categories of students—OMHV****-compliant and non-compliant—with differing access to a scarce academic resource*. Such practices raise concerns regarding equal treatment and data protection, and they undermine the neutrality of quality assurance data: completion rates can no longer be considered genuine indicators of voluntary feedback but are instead influenced by pressures associated with examination registration privileges.

Evidence of Neptun email:

Saturday, December 6, 2025 at 5:22:12 AM Central European Standard Time

---

Subject: Exam registration - information
Date:Thursday, December 4, 2025 at 2:48:15 AM Central European Standard Time
From: Neptun

https://orcid.org/0009-0005-4228-1124

To: Siddhartha HARSH WARDHAN

Dear Students,

This is a reminder that your exam registration will start today at 14:00. Students who filled the OMHV questionnaire corretly/fully, have already got a Neptun message about the early registration.

There could be possible error messages during your registration:

If you are a repeating students and you have already had exam(s) before from a subject, you might have to pay exam retake fee (after the 2nd exam chance) or missed exam fee: https://semmelweis.hu/registrar/information/fees-and-penalties/

Also, if you have unpaid tuition fee (even if it is 1 USD), the system will not let you register, only if you have paid all your payments.

The last problem is the available seats, the Departments sometimes open the exam dates for all faculties, so if you got a Neptun message that the places are full, but you see available spots, those are for the other two faculties, and you cannot register for that.

The most important thing, do not panic or worry, we will figure out if you cannot register due to any issue, you have time to register and do your exams for 2 month.

Best

regards,

registrars

4.1 The Ombudsman case EBF–AJBH–309–2025: investigation without remedy

The initial stage of this case concerning the domestic aspect is the whistleblower complaint filed with the **Hungarian Commissioner for Fundamental Rights (AJBH).** On July 5, 2025, the author submitted a comprehensive disclosure via the secure electronic system operated in accordance with the **Whistleblower Protection Act (Act XXV of 2023),** explicitly

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citing protection as a public-interest whistleblower and alleging a systemic refusal to grant access to anatomy laboratories and practical sessions despite the claimant's valid student status.[41] The automated confirmation from AJBH acknowledged receipt, registered the complainant's personal data, and documented the date and time of submission (July 5, 2025, at 16:51). Additionally, it confirmed that the case had been assigned the reference number **EBF–AJBH–309–2025.**[42]

The complaint alleged violations of ***internal university regulations (SZMSZ_HKR***), the ***Administrative Procedure Act (Act CL of 2016***), and the ***National Higher Education Act (Act CCIV of 2011***), with particular emphasis on equal treatment obligations toward international students. It requested an inquiry into both the denial of access and the broader pattern of obstruction affecting the English-language medical programme.[43] The author followed up with additional correspondence, including a bilingual appendices package (A–F) documenting suppression of whistleblower disclosures, overcrowding and attendance irregularities, internal policy violations by faculty, deficient anatomical specimens, selective enforcement of conduct rules, and administrative contradictions in university replies.[44]

In qualitative terms, this was precisely the sort of case that a national NHRI is supposed to convert into **institutional memory**: a detailed fact-pattern, linked to legal standards and supported by written evidence. Instead, as ***Gatekeeper of Rights II*** **documents**, the Ombudsman's office ultimately **closed** the investigation on purely procedural grounds.[45] A decision letter was sent by post to a single address; when the letter was returned as "not claimed", AJBH treated service as perfected and the case as concluded, without re-sending the decision to the university address repeatedly requested by the complainant or via the very secure electronic system through which the complaint had been lodged.[46]

Subsequent correspondence from the **Equal Treatment Directorate within AJBH** emphasized that complaints submitted via the general ***"online lodging"*** form are treated as anonymous and cannot trigger an administrative procedure, recommending instead that public-interest disclosures be made exclusively via the secure whistleblower portal.[47] This advice, however, arrived **after** a secure-portal disclosure had already been made and acknowledged in ***EBF–AJBH–309–2025.*** The net effect was to place the complainant in a procedural trap: the office recognized the case number. It held a meeting but then allowed the investigation to lapse based on a single undelivered postal item, despite explicit requests to update service details and to use electronic channels.

In the terms developed in Section 2, this is a textbook instance of **domestic amnesia**. AJBH generated just enough records to show that the complaint existed—case number, intake confirmation, internal meeting—yet declined to produce any publicly accessible, substantive findings on discrimination, equal treatment, or academic freedom. The case is archived as "closed" without having entered the Ombudsman's own visible memory in the form of an opinion, report, or thematic statement.

4.2 The data-protection authority: NAIH J-427-3/2025 and informational obstruction

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The handling of the related data-protection incident by the **National Authority for Data Protection and Freedom of Information (NAIH)** presents a more ambivalent picture. On August 13, 2025, Semmelweis University's English-language medical program circulated a **"Survey About Academic Progress" to** first-year students, attaching a live, editable SharePoint Excel file that listed each student's **full name**, Neptun ID, and academic status ("finished all subjects", "EOAY", etc.).[48] The file, accessible to all recipients, effectively exposed sensitive study-status information, linkable to personal identifiers, in a manner incompatible with basic GDPR principles of data minimization and security.[49]

On **17–18 August 2025,** the author filed a whistleblower disclosure with NAIH under Act XXV of 2023, alleging a personal-data breach and a violation of educational dignity, and explicitly requesting that the Authority investigate the incident and order corrective measures.[50] In an official letter dated **October 10, 2025 (case J-427-3/2025**), President Dr Habil. Attila Péterfalvi informed the complainant that NAIH had examined the submission under the ***Whistleblower Protection Act*** and decided to open an **ex officio investigatory procedure** concerning the university's handling of student data.[51] The letter summarized the facts—distribution of the SharePoint file, linkage of names, Neptun IDs, and academic progress—and confirmed that the Authority would assess compliance with GDPR and national data-protection rules.

Unlike AJBH, NAIH thus explicitly transformed an individual whistleblower disclosure into a **formal, institution-focused investigation**. This is a rare and vital instance of domestic memory: an authority recognized the issue's structural significance and created an official case record that is not entirely dependent on the complainant's persistence. At the same time, the chronology reveals familiar patterns of delay. As reconstructed in ***Administrative Obstruction in the EU Education – Part VI*****,** 54 days elapsed between the initial disclosure (**August 17, 2025)** and the **ex officio** written notice on **October 10, 2025,** mirroring the latency observed in other educational rights procedures.[52] At the time of writing, no public decision on the merits has been issued, and the case risks joining the category of **unresolved but archived** investigations that exist on paper without generating concrete remedies.

The author has, moreover, had to treat NAIH itself as part of the evidentiary chain: NAIH's October letter and subsequent email confirmations are annexed as **"NAIH-1"** and **"NAIH-3"** in the ***Cross-Border Acknowledgment III – PIPER*** **dossier,** and forwarded in hard copy with additional evidence of university retaliation (see below) to ensure that the retaliation itself becomes part of the J-427-3/2025 file.[53] Domestic memory, in other words, must be actively **fed** by the complainant to prevent silent burial.

4.3 Accreditation without intervention: MAB/477-4/2025

The ***Hungarian Accreditation Committee (MAB***), recognized by WFME as Hungary's national accreditation body for medical education, occupies a different institutional niche but exhibits a similar dynamic. Following advice from WFME, the author submitted a bilingual QA complaint and evidence dossier to MAB in July 2025, outlining serious academic and procedural

violations at Semmelweis University: obstruction of educational access, denial of laboratory participation despite a valid FM/CV status, inconsistent enforcement of examination standards, and broader concerns about over-enrolment and resource adequacy.[54] The submission explicitly referenced the ongoing Ombudsman and court proceedings and provided DOIs for SSRN case-study papers.

In its reply of ***2–3 September 2025 (Reg. nr. MAB/477-4/2025)***, the MAB Secretariat thanked the author for the materials and confirmed that **"the university's compliance with the relevant standards will be evaluated by the MAB in the course of the forthcoming institutional accreditation and WFME medical accreditation procedures"**.[55] This acknowledgment is significant: it inserts the Semmelweis dossier—including references to **EBF–AJBH–309–2025** and ***J-427-3/2025***—into the **official accreditation record** of the institution. MAB thereby accepts that the issues raise questions of ESG and WFME compliance, not merely individual grievance.

However, the form of the response also illustrates the limits of domestic memory when it is not coupled with remedial capacity. MAB does not commit to any interim measures, public statement, or targeted follow-up; the case is effectively deferred to a future accreditation cycle with uncertain timing and opaque methodology. The ***Cross-Border Acknowledgment III – Institutional Record of Accreditation Correspondence*** paper reconstructs the email chain. It shows that, apart from acknowledging receipt and promising future evaluation, MAB remained silent even after being informed of the university's takedown threats. [56]

From the standpoint of rights protection, this is **archival without intervention**. MAB's letters prove that the accreditation body is aware of the allegations and has them on file. Still, there is no visible mechanism by which this awareness translates into immediate protection for students or into transparent adjustments to accreditation status.

4.4 Retaliatory erasure: the Dean's takedown notice 83099-16/AOADH/2025

In the context of this partial domestic memory, Semmelweis University's response to the whistleblower publications demonstrates an institutional act of erasure. On 14–15 October 2025, the ***Dean of the Faculty of Medicine, Professor Dr. Péter Nyirády***, issued a formal notice to the author (**Ref. 83099-16/AOADH/2025)**, which was dispatched by email and registered mail.[57] The letter requested that the student "remove in their entirety, **within three (3) days of receipt,"** all studies, materials, and content related to Semmelweis University's educational activities that had been uploaded to **ResearchGate (an academic repository)** and "other online or content-sharing platforms," because such materials could potentially infringe upon the university's personality rights and portray the institution in a negative light.[58]

Crucially, the notice contained **no citation** of any **statutory provision, internal regulation, or ethics code allegedly breached by the publications.** It did not contest the factual accuracy of the case studies, nor did it identify specific passages or claims as defamatory. Instead, it framed the existence of publicly accessible legal analysis and evidence as a problem, threatening disciplinary consequences if the papers remained online. The ***Cross-Border***

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Acknowledgment III – PIPER **d**ossier reproduces the key paragraphs of the dean's letter and treats it as Exhibit 2 in a chronology of oversight awareness and retaliation. [59]

The author responded by refusing to withdraw the papers, informing MAB and NAIH of the takedown demand, and sending a reasoned reply asserting protections under the **Whistleblower Protection Act**, academic freedom, and international scholarly norms.[60] Rather than erasing the case, the dean's letter thus became additional **evidence** of retaliatory pressure and a further object of supranational memory, referenced in SSRN papers and accreditation correspondence. But from a domestic perspective, its function is clear: it is intended to suppress external records that document institutional failures, thereby restoring a semblance of internal amnesia.

4.5 Patterns of domestic amnesia

Taken together, the actions of **AJBH, NAIH, MAB, and Semmelweis University in 2025** reveal a common pattern:

- **AJBH** opened a case, held at least one meeting, and received extensive evidence, but closed the investigation on a technicality without issuing a substantive opinion or making the case publicly available. [61]
- **NAIH** converted a whistleblower disclosure into an **ex officio GDPR investigation (J-427-3/2025),** thereby creating a formal record of a serious data-protection incident in the university's English-language program, but has yet to deliver a public outcome. [62]
- **MAB** accepted the QA dossier and explicitly linked it to forthcoming institutional and WFME accreditation procedures **(MAB/477-4/2025)** but has so far confined itself to acknowledgment rather than intervention. [63]
- **Semmelweis University** responded to external scholarly documentation by attempting to compel its removal from public platforms without legal justification, while leaving the underlying access and equality issues unremedied. [64]

In each instance, **memory is split from remedy**. The institutions generate internal files and reference numbers—**EBF–AJBH–309–2025, J-427-3/2025, MAB/477-4/2025, 83099-16/AOADH/2025—**but either decline to convert them into public, reasoned decisions (AJBH, MAB), delay outcomes indefinitely (NAIH), or seek to suppress external documentation (Semmelweis). The result is a domestic system in which awareness is acknowledged but **not allowed to crystallize** into enforceable precedent or visible institutional learning.

Compared to the supranational memory described in Section 3, this is a radically different treatment of the same events. At the EU level, the Semmelweis case and similar patterns can be folded into **Article 7 reports, Rule of Law chapters**, and conditionality debates as evidence of structural deficiencies in academic freedom, non-discrimination, and access to remedy. Domestically, by contrast, the same case is treated as something to be managed procedurally, archived quietly, or pushed into future, opaque accreditation cycles. The dean's takedown notice adds a further layer: an attempt to **destroy** the very supranational memory that has begun to form through SSRN, ResearchGate, law-library archiving, and cross-border QA correspondence.

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From the vantage point of the ***individual rights-holder, this split-memory regime*** is not abstract. It means that the only robust, continuous record of the dispute is increasingly located **outside** the ***national system—in EU reports, international accreditation files, and open-access academic repositories***. Domestic institutions remember just enough to defend themselves if challenged, but not sufficient to protect the student whose case triggered that memory. That is the core of the domestic amnesia this article seeks to map.

Exhibit 1.0

Element	Required by Law / ESG	What Occurred in Case MAB/477-4-2025	Outcome
Existence of a formal accreditation dossier	MAB acknowledges and logs submissions formally.	Filing registered under Reg. nr: MAB/477-4-2025.	Establishes traceable case file.
Publication of the decision	MAB rules require both the report and the decision to be made public on the website.	Only the outcome appears on the decisions page; no reasoning is attached.	Transparency duty is only partially fulfilled.
Justification of decision	ESG 2.3 demands a published report documenting rationale, evaluation basis, and follow-up processes.	Decision published without justification, narrative, or assessment.	Violates the ESG's reporting and accountability requirements.
Consistency of QA processes	External QA must follow pre-defined and consistently applied processes (ESG 2.3).	Absence of reasoning means the process cannot be evaluated for consistency.	Creates governance opacity; undermines comparability.
Follow-up mechanisms	ESG requires decisions to be supported by follow-up recommendations or evaluative commentary.	No recommendations, no commentary, no evidence of follow-up.	ESG compliance gap.

Beyond the mere existence of the file, however, ***MAB's handling of case MAB/477-4/2025*** reveals a more profound deficiency in transparency. As demonstrated in **Exhibit 1** (***"Conflict Between MAB/477-4-2025 and ESG Transparency Obligations"***), the decision is recorded in MAB's public registry solely as a minimal entry; no supplementary report, rationale, or standards mapping is published. ***MAB's own regulations, along with ESG 2.3*** concerning ***external quality assurance*** processes, require that accreditation decisions be substantiated by a publicly available report detailing the evidence, analysis, conclusions, and any subsequent measures. In this case, while the decision itself is accessible to the public, the underlying reasons are not disclosed. As a result, students, staff, and external stakeholders are unable to determine how the Semmelweis dossier was evaluated against ***ESG and WFME criteria*** or whether any conditions or recommendations were imposed. Essentially, this converts an accreditation

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decision into a **black-box administrative act**: a formal act that lacks transparency and whose rationale remains inaccessible to external observers. Under the right to good administration outlined in ***Article 41 CFR*** and the ESG transparency obligation, a decision that lacks justification does not constitute a bona fide decision within the legal and academic context, but rather an act that is devoid of normative and epistemic legitimacy.

4.6 Accreditation opacity and the ESG duty of transparency: the case of MAB/477-4/2025

The interaction with the **Hungarian Accreditation Committee (MAB**) around file **MAB/477-4/2025** illustrates how domestic amnesia is reproduced even at the level of external quality assurance. As ***Cross-Border Acknowledgment III*** **documents,** MAB formally acknowledged receipt of a systemic QA dossier on the Semmelweis case in July–September 2025. It confirmed that the university's compliance with the relevant standards would be evaluated in forthcoming institutional and WFME medical accreditation procedures.[1] The dossier raised questions about programmed deliverability (ESG 1.2), fairness and validity of assessment (ESG 1.3), and adequacy of learning resources (ESG 1.6), including denial of access to compulsory practical under FM/CV status and the use of degraded specimens in high-stakes examinations.[2]

At the procedural level, MAB behaved correctly in one respect: it logged the submission, assigned a registry number (MAB/477-4/2025), and indicated that it would be used in future accreditation cycles. [3] That creates a traceable case file and inserts the evidence into Hungary's formal QA archive. However, when the resulting entry appears on MAB's public decisions page, it consists only of a bare outcome line: no report, no evaluative narrative, no mapping to ESG standards, and no indication of follow-up recommendations. In other words, the decision itself is public, but its **reasons** are not.

From the standpoint of the **European Standards and Guidelines (ESG)** and basic principles of good administration, this is not a minor omission. ESG 2.3 (External quality assurance processes) requires that external QA agencies publish reports that include "evidence, analysis, and conclusions," as well as information on any needed follow-up. [4] ESG 2.6 stresses that agencies must ensure their own processes are transparent and consistently applied. A decision that appears in a registry without any accompanying justification cannot be evaluated for consistency, proportionality, or alignment with standards; nor can students, staff, or external stakeholders understand how the agency assessed the underlying concerns.

Exhibit 1.0 (appended) summarizes the conflict as a simple matrix of requirements versus practice in MAB/477-4/2025:

- **Existence of a formal dossier** – satisfied: the filing is registered and traceable.
- **Publication of the decision and report** – partially satisfied: only the outcome is public; the report and rationale are not.

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- **Justification and standards mapping** – not satisfied: no narrative explains how ESG 1.2/1.3/1.6 risks were evaluated or dismissed.
- **Process consistency** – unverifiable: absent a published rationale, neither internal nor external actors can test whether similar cases would be handled in the same way.
- **Follow-up mechanisms** – not evidenced: there is no record of recommendations, time-bound conditions, or remedial obligations attached to the file. [5]

In practical terms, this converts an accreditation decision into a **black-box administrative event**: something has formally happened, but no one outside the agency can see how or why. Under Article 41 CFR's right to good administration, the duty to give reasons is central; decisions affecting rights and interests must be reasoned, transparent, and understandable. [6] In the QA context, ESG 2.3 and 2.6 play a similar role. A "decision without justification" is, in this sense, not a decision in the legal-academic sense at all, but an administrative gesture lacking epistemic and normative legitimacy.

For **Gatekeeper of Rights V,** ***MAB/477-4/2025***, therefore, matters on two levels. Substantively, it confirms that the Semmelweis dossier has entered the accreditation audit trail and will, at least formally, be part of WFME-linked reviews. Procedurally, it shows that even at this level, **memory without reasons** is the norm: the existence of a file is acknowledged, but the public is denied the reasoning that would allow them to judge whether ESG, WFME, and national legal standards are genuinely being enforced. This is another face of domestic amnesia: not the absence of records, but the refusal to explain what those records mean.

4.7 Domestic amnesia and the legal duty to give reasons

The institutional behavior described in this section is not only troubling in terms of outcomes; it is also in tension with a fundamental procedural obligation in European public law: the duty to give reasons. ***Article 41 of the Charter of Fundamental Rights*** codifies the right to good administration at Union level, entitling every person to have their affairs handled impartially, fairly and within a reasonable time by the Union's institutions and expressly including "the obligation of the administration to give reasons for its decisions". Although ***Article 41 is formally addressed to EU bodies, the Court of Justice*** has recognized reason-giving and timely decision-making as general principles of EU law that bind national administrations when implementing EU law and are reflected in domestic procedural regimes, such as ***Hungary's Act CL of 2016 on General Administrative Procedure***.

The ***European Code of Good Administrative Behavior***, approved by the European Parliament in 2001, operationalizes this duty. It requires that any administrative decision adversely affecting an individual's rights or interests be based on relevant, objective factors, state its main factual and legal reasons in clear language, and indicate the avenues of redress and applicable deadlines. The European Ombudsman treats unjustified delay and failure to give reasons as forms of maladministration in its own practice. He promotes the Code as a benchmark within the European Network of Ombudsmen. International standards for national human rights institutions, such as the Paris Principles and the Venice Commission's guidance on ombuds offices, likewise emphasize transparency, the publication of opinions and reasoned recommendations as core elements of legitimacy.

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Measured against these standards, the domestic handling of the Semmelweis case reveals a pattern of non-reasoning that feeds into domestic amnesia. The administrative court registered the case and issued a deficiency order but never produced a judgment explaining whether denying access to compulsory dissection was lawful, proportionate, or compatible with equal-treatment norms. The Equal Treatment unit within the Ombudsman's office opened an investigation, suspended it pending the outcome of that court case, but did not return to the merits after the court disposed of the claim on purely procedural grounds. NAIH opened an ex officio investigation into a serious data-protection incident but has not yet published any substantive decision. MAB acknowledged a detailed QA dossier and linked it to forthcoming accreditation procedures, yet no public report explains how the allegations were assessed against ESG or WFME standards. The university's dean sent a takedown notice threatening academic publications but cited no specific legal basis or allegedly false statements.

In each instance, the institutions generate files and reference numbers—**EBF–AJBH–309–2025, J-427-3/2025, MAB/477-4/2025, 7. Kpk. 750.239/2025/2, 83099-16/AOADH/2025**—but withhold the substantive reasoning that would allow individuals and external observers to understand how rights were interpreted and applied. From the perspective of good administration, this is not a minor lapse. It is a structural refusal to perform the basic explanatory work that law expects of public authorities, and it is one of the mechanisms through which domestic institutions forget—or make it impossible for others to remember—how fundamental rights were handled in practice.

4.8 Exhaustion of domestic external oversight, including the Ombudsman, NIAH, Administrative Court, and MAB, to address Article 47 in the Semmelweis case.

The Semmelweis dispute analyzed in this article is not based on a single unanswered email or an isolated misunderstanding. Across the ***Administrative Obstruction in EU Medical Education*** **and** ***Gatekeeper of Rights*** series, the author has progressively used every realistically available domestic remedy in Hungary. This includes internal complaints and written requests to Semmelweis University, a structured administrative petition challenging the denial of access to compulsory anatomy practical and the extra-textual use of **"FM/CV" status**, a whistleblower complaint to the ***Commissioner for Fundamental Rights (EBF–AJBH–309–2025),*** proceedings before the **Equal Treatment Authority within the Ombudsman's office**, a public-interest disclosure to the **National Authority for Data Protection and Freedom of Information (NAIH J-427-3/2025), a bilingual quality-assurance dossier to the Hungarian Accreditation Committee (MAB/477-4/2025),** and an administrative action before the Budapest-Capital Regional Court.[1]

As ***Gatekeeper of Rights IV*** shows in detail, the Ombudsman's president and the responsible administrator explicitly invoked the pending administrative lawsuit as the reason for suspending the equal-treatment procedure, insisting that the court would resolve the grievance.[2] In reality, the court never examined the substance of the complaint: it issued a deficiency order and then rejected the case on formal grounds only, even though it had been provided with the full evidentiary record between **July and December 2025.** The Ombudsman's office did not adjust its position after this procedural rejection or reopen a merits-based examination. Instead, both institutions hid behind each other's procedures: **AJBH pointed to the court's competence; the**

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court disposed of the case without findings on the evidence. In parallel, NAIH opened an ex officio investigation but has yet to publish a decision; MAB acknowledged the QA dossier but deferred any assessment to future accreditation cycles; and the university's primary written response was a dean-level takedown notice targeting the author's publications rather than addressing their substance.

In the context of Charter terminology, this configuration aligns with the concept of an illusory remedy as described by **Strasbourg and Luxembourg jurisprudence: institutions** exist predominantly on paper and formally ***"process"*** complaints, yet no one genuinely adjudicates the substantive issues of the alleged violations.[3] Within the framework of *Gatekeeper of Rights V*, domestic remedies in the Semmelweis case are consequently regarded as **effectively exhausted**. The decision not to pursue further appeal against the procedural dismissal of the administrative claim does not constitute an acknowledgment that Semmelweis University acted lawfully, nor does it constitute a waiver of rights under ***Articles 14, 21, 41, and 47 of the Charter***. Instead, it reflects a reasoned assessment—aligned with the **European Commission's own reports on the rule of law concerning Hungary**—that pursuing additional domestic litigation would place an undue personal and health burden on involved parties, while offering no realistic prospect of obtaining a timely, merits-based remedy capable of rectifying the educational harm. The ensuing analysis in this document proceeds on the premise that national authorities have been provided multiple, well-documented opportunities to remedy the violations and have, instead, confirmed, through inaction and procedural evasion, the existence of a structurally ineffective environment for the protection of higher-education rights in Hungary.

4.9 The Ombudsman–Court deflection loop: a system model

The documents reproduced in **Gatekeeper of Rights IV** and summarized above demonstrate that the failure of remedy in the Semmelweis case is not attributable to a singular institutional error; instead, it results from a coordinated deflection loop involving the administrative court and the Ombudsman's Equal Treatment unit. This loop can be delineated through a series of basic steps.

> **(1) Underlying reality –** A foreign medical student is denied access to compulsory dissection classes despite full-time enrollment and payment of tuition fees. This situation potentially implicates the rights to education, equal treatment, academic freedom, and due process.
>
> **(2) Initial remedial actions** – The student files an administrative complaint with the ***Commissioner for Fundamental Rights / Equal Treatment unit (EBF–AJBH–309–2025)*** and, concurrently, initiates an administrative action before the ***Budapest-Capital Regional Court contesting the denial of access to compulsory practical (7.K.703.536/2025)***.
>
> **(3) Court's actual response** – The Metropolitan Court treats the action as an educational administrative dispute rather than as a lawsuit concerning equal treatment. It does not examine the substantive issues of discrimination or access to education; instead, it issues

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a deficiency order and ultimately dismisses the claim solely on procedural grounds. There are no factual determinations or rights-based analyses.

(4) The stance of the Equal Treatment unit – In its suspension order (***EBF–AJBH–309-4/2025),*** the Equal Treatment unit admits that the court case does not explicitly invoke equal treatment. Nonetheless, it asserts that the court will consider factual and legal issues that are "inseparable" from those in the discrimination complaint, citing Ebktv. 15/B and Ákr. 48 to treat the court's forthcoming judgment as a preliminary question. Accordingly, it suspends the equal-treatment procedure until the court's final decision.

(5) **Closure of the loop** – The court disposes of the case on procedural grounds without reaching the merits; no analysis of equal treatment is conducted. The Equal Treatment unit does not revisit its suspension following this procedural dismissal; it refrains from reopening the case or issuing a substantive assessment. If the complainant contests the suspension, they are effectively redirected to the same court that has already declined to examine the substantive claim.

This creates a closed circuit: the court states, effectively, "we cannot hear you due to procedural reasons," while the Ombudsman states, "we will not hear you because the court is hearing you." At no stage do either entity accept responsibility for determining whether the denial of dissection access and the associated practices infringe upon equal treatment or educational rights. On paper, Hungary can demonstrate to external observers that it possesses a court, an equality body, and an Ombudsman functioning in concert under Ebktv. 15/B and Ákr. 48. However, in practice, this coordination operates as a device to prevent any institution from reaching substantive conclusions regarding the complaint. This mechanism transforms formal remedies into illusory ones and represents a central method by which domestic amnesia is cultivated.

Academic freedom is frequently characterized as a matter of free expression: the entitlement of staff and students to teach, conduct research, and articulate views without censorship. Nonetheless, **Article 13 of the CFR, Article X of the Hungarian Fundamental Law, and contemporary Council of Europe doctrine** clarify that it also includes the circumstances under which study and research occur: access to resources, equitable and transparent assessment, fair treatment, and the capacity to advance academically without coercion or retribution. In its ***Lex CEU judgment, the Court of Justice*** associated onerous and selectively enforced ***administrative requirements directly with a violation of Article 13 CFR***, emphasizing that academic freedom may be compromised not solely through explicit bans but also via structural administrative measures that diminish institutional autonomy and the independence of scholarly pursuits.

In the Semmelweis case, administrative power was repeatedly used in ways that go beyond mere maladministration and amount to **indirect interference** with academic freedom. The denial of access to compulsory dissection classes based on an opaque FM/CV status, without a clear legal basis in the ***Study and Examination Regulations***, directly affected the complainant's ability to participate in the core educational activities of the program. The use of

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OMHV questionnaire completion as a condition for priority exam registration turned a nominally voluntary feedback mechanism into a tool of coercion, creating two categories of students with different access to scarce examination slots. Administrative silence in response to reasoned requests, broken only under external legal pressure, deprived the student of clarity about his rights and obligations for extended periods.

Most starkly, after the complainant began documenting and publishing his experiences in **legal-academic form**, the university did not issue a line-by-line rebuttal or a public explanation of its practices. Instead, it issued a dean-level takedown notice demanding the removal of case-study papers from academic platforms within three days, threatening disciplinary consequences but offering no legal justification and identifying no specific inaccuracies. This pattern – denial of access, coerced participation in internal surveys, strategic silence, and reputational threats after whistleblowing – is difficult to reconcile with a duty to foster an environment in which students, particularly foreign students, can pursue studies and voice concerns without fear of adverse academic consequences.

When administrative discretion is used in this way, it ceases to be a neutral instrument of governance and becomes a mechanism of pressure. Read together with the failures of reason-giving described in Section 4.8, the Semmelweis case suggests that the problem is not simply one of inefficient administration, but of **retaliatory governance**: the use of status labels, access decisions, registration windows, and non-communication to discipline an individual who attempts to invoke legal protections. From the perspective of **Article 41 CFR, Article 13 CFR,** and **Article X of the Fundamental Law**, such practices amount to a collapse of good administration and a form of indirect interference with academic freedom in higher education.

5 Synthesis and implications: split memory as a rule-of-law problem

5.1 From parallel narratives to split memory

The preceding sections have traced two parallel narrative tracks.

At the **supranational level**, the Union's institutions have built an obvious cumulative record. Since 2018, Parliament, the Commission, the Council and the Court of Justice have repeatedly described Hungary as a Member State facing a ***"clear risk of a serious breach"*** of Article 2 TEU values, confirmed the legality of rule-of-law conditionality, suspended large volumes of cohesion funding, and—in the **2025 second interim Article 7 report**—openly characterized the regime as a ***"hybrid"*** electoral autocracy whose rule-of-law situation continues to deteriorate.[1] The ***Rule of Law Reports*** now integrate academic freedom and higher-education governance into this ledger, and conditionality decisions explicitly anchor disbursement of funds in compliance with Charter-based "horizontal enabling conditions", including educational rights and academic freedom.[2]

At the **domestic level**, by contrast, the core oversight institutions examined here—**AJBH, NAIH, MAB,** and the university itself—have treated the Semmelweis whistleblower case as something to be processed, contained, or pushed into the background. ***AJBH opened a case but allowed it to die procedurally, without a public opinion; NAIH opened an ex officio***

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investigation but has not yet delivered a visible outcome; MAB acknowledged the quality-assurance risk but deferred it to future accreditation cycles; and the university attempted to suppress the external academic record rather than rebutting it on the merits.[3] In parallel, AJBH's website purge of twelve years of minority-rights opinions shows that this is not an isolated case: the institution is willing to erase legally and empirically dense findings from its own public memory when they become politically inconvenient.[4]

Section 2 described this configuration as a **split memory regime**. The analysis of Sections 3 and 4 confirms that this is not just a metaphor. There is now a fundamental, structured divergence between the level at which rights violations are **recorded and remembered** (EU reports, conditionality files, international academic publications, accreditation correspondence) and the level at which they are supposed to be **remedied** (national ombudsman, data-protection authority, accreditation body, courts). This divergence is itself a rule-of-law problem, because it undermines the fundamental promise that rights-holders can obtain effective remedies within their own legal order.

5.2 Effective remedy, mutual trust and the higher-education sector

A supplementary, empirical perspective is provided by a separate analytical study *titled* **"Digital Analytic Evidence of Institutional Silence: Accountability of University Officials and External Oversight Regulators – Seventy Professors, Zero Rebuttals.*"*** In this publication, over seventy senior faculty members and administrative managers at the university were disseminated the published case-study materials and were invited to rectify any factual inaccuracies or to present a substantive response. Aside from a limited number of generic acknowledgements and redirects to previously unresponsive channels, none offered a reasoned rebuttal or a legal justification for the denial of dissection access, the OMHV-linked examination registration advantage, or the treatment of the whistleblower. This measurable silence reinforces the pattern of institutional non-responsiveness outlined in this section: even when confronted with a detailed, documented allegation and provided an opportunity to respond, key actors opt not to engage. As documented in ***'Seventy Professors, Zero Rebuttals,'*** over seventy senior staff members were informed of the case-study materials and invited to address factual inaccuracies; however, none submitted a substantial rebuttal. Both ***European Union law and the European Convention on Human Rights*** presuppose that fundamental rights are complemented by effective remedies at the national level. Article 47 of the Charter affirms the right to an effective remedy and a fair hearing before an independent tribunal, while ***Article 13 of the ECHR requir***es the availability of an effective remedy before a national authority in instances of violations of Convention rights. The overarching framework of ***supranational oversight—comprising Article 7 of the Treaty on European Union***, the ***Rule of Law Reports***, and conditionality—assumes that domestic institutions serve as the primary locus for enforcement, with EU-level mechanisms functioning as supportive pressure and backup systems rather than as substitutes.

In the field of higher education and professional recognition, this presupposition is fundamental. **Directive 2005/36/EC** on the recognition of professional qualifications, the

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European Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and the ***World Federation for Medical Education (WFME***) recognition procedures all rest on **mutual trust**: the assumption that national agencies, ombuds bodies and accreditation systems will ensure that degrees are awarded under conditions that meet minimum standards of fairness, non-discrimination and academic freedom.[5]

The Semmelweis case challenges that assumption along two axes. First, it documents how a foreign medical student can be denied access to core educational infrastructure (dissection, lab practice) despite formal enrolment and full tuition, based on opaque internal classifications (FM/CV status) and shifting explanations that contradict the university's own regulations.[6] Secondly, it shows how the domestic institutions that should respond to such **denial—AJBH, NAIH, MAB**—either fail to produce substantive findings, delay outcomes indefinitely, or insulate their awareness within non-public case files.[7]

From the perspective of mutual trust, this is not a marginal inconvenience. Suppose a **Member State's oversight** and accreditation system **knows** about systemic access-denial, over-enrolment, and discriminatory assessment practices in an English-language medical program, but does not generate visible, reasoned responses. In that case, other states, employers, and regulators have diminished basis for trusting the resulting degree. **The *Cross-Border Acknowledgment* series has already argued that this creates a "QA black box"** for foreign graduates, who may carry degrees whose formal accreditation masks unresolved structural defects.[8] ***Gatekeeper of Rights V*** adds that the black box is not only technical (resource constraints, pedagogical issues) but institutional: it is produced by a pattern of domestic amnesia in the very bodies meant to preserve memory and trigger correction.

5.3 Conditionality without domestic memory?

The analysis further raises a pertinent question for EU-level enforcement: **the extent to which conditionality can be effective when domestic watchdogs engage in selective amnesia.** The ***Council's 2022 decision under the Conditionality Regulation***, along with the ***European Commission's subsequent management of frozen funds,*** has exerted substantial financial pressure. Hungary has been compelled to implement remedial measures, establish new institutions such as the ***Integrity Authority,*** and formally recognize deficiencies in areas including public procurement, anti-corruption enforcement, and conflicts of interest. The regrouping of ***€545 million in cohesion funding for 2025, contingent on safeguarding academic freedom***, demonstrates that governance in higher education is now explicitly integrated into this framework.

But financial pressure alone cannot substitute for **domestic recording and reasoning**. Conditionality decisions rely heavily on national-level reports, Ombudsman opinions, court judgments, and accreditation findings. If these sources dry up—because institutions choose not to record, publish, or preserve sensitive decisions—then supranational bodies are forced to rely on indirect evidence (media reports, NGO submissions, academic case studies) that may be easier to discount as "non-official" or "anecdotal". In other words, domestic amnesia can blunt the evidentiary base on which conditionality rests.

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The Semmelweis case illustrates this risk. The EU-level memory now contains a growing number of references to threats to academic freedom and discrimination in Hungary, but the **domestic file** on this dispute consists mainly of:

- An Ombudsman case number closed without public findings.
- A pending NAIH investigation with no published outcome.
- An accreditation acknowledgment that defers evaluation to future cycles.
- A dean's letter pressing for the removal of scholarly publications.

Suppose AJBH, NAIH, and MAB do not ultimately produce documented, publicly accessible conclusions that can be incorporated into EU procedures. In that case, the principle of conditionality risks becoming detached from specific cases. The Union will possess robust macro-level diagnoses but a paucity of micro-level evidence from official sources, even when university practices explicitly acknowledge Charter and ECHR rights.

5.4 The role of open-access scholarly archives

In this context, the role of **open-access academic publishing** goes beyond a personal academic tactic. By organizing the Semmelweis dispute through the ***Administrative Obstruction in EU medical education I-VI, Gatekeeper of Rights I-IV, and Cross-Border Acknowledgment I-III* series**, and by posting these texts on SSRN, ResearchGate, and other repositories, the author has established what can be called a **shadow institutional memory**: a structured, citable archive of events, documents, and legal arguments accessible to EU institutions, accreditation agencies, foreign universities, and courts.

As Section 1 noted, the SSRN profile associated with these papers now contains more than 20 distributed working papers on Hungarian higher education and rule-of-law issues, with substantial view and download counts and cross-indexing in law library systems. [12] This corpus does not replace domestic records, but it mitigates the effects of domestic amnesia in three ways:

1. **Preservation:** it ensures that key documents—letters, case numbers, timelines—are preserved in a format that is difficult to erase, even if domestic websites de-list Ombudsman opinions or universities pressure authors to self-censor.
2. **Contextualization** embeds the micro-case within the broader supranational narrative, making it easier for external actors to see how individual episodes relate to Article 7, conditionality, and broader governance trends.
3. **Mobilization:** it provides ready-made sources for NGOs, journalists, foreign regulators, and EU officials who may wish to test the sincerity of domestic reforms against concrete, documented practice.

There are, of course, limits. Academic working papers do not carry the same formal weight as official Ombudsman reports or court judgments, and they can themselves be dismissed as one-sided or self-interested. But in a system where domestic institutions are retreating from their memory-keeping functions, such scholarly archives are among the few mechanisms by which rights-holders can ensure that their experiences enter the transnational record in a durable, retrievable form.

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5.5 Implications for EU oversight and domestic reform

What follows from this analysis for policy and doctrine?

At the EU level, ***Gatekeeper of Rights V*** suggests that **memory-sensitive conditionality** should pay closer attention not only to the existence of institutions but to their archiving practices. When assessing compliance with rule-of-law benchmarks, the Commission and Council could explicitly examine:

- Whether national NHRIs and Ombudsman offices maintain accessible, comprehensive archives of opinions and reports, including historical materials.
- Whether politically sensitive portfolios (minority rights, academic freedom, equality) are systematically under-documented or subject to retrospective deletion.
- Whether accreditation bodies publish sufficient information about quality-assurance findings in foreign-language programs to sustain mutual trust in cross-border recognition.

At the domestic level, the article underscores the need to treat **publication and record-keeping** as core components of rights protection, not optional extras. Reforms could include statutory duties on AJBH and similar institutions to publish anonymized versions of all systemic opinions and investigations, procedural safeguards to prevent closure of complaints on trivial service grounds where electronic contact details are known, and clearer channels for integrating whistleblower evidence into quality-assurance and accreditation processes.

For individual universities, the lesson is straightforward but uncomfortable. Attempts to pressure students into removing legal case studies from international academic platforms are not neutral "reputation management" strategies. They are part of a pattern of domestic amnesia that, when documented and exported, may ultimately **damage** the institution's standing with foreign partners, accreditation bodies, and international students more than the original dispute ever could.

5.6 Conclusion

The Semmelweis case shows how a single whistleblower dispute can illuminate a broader structural problem in contemporary Hungary: a legal order in which **memory and remedy have come apart**. At the EU level, the Union diligently records Hungary's democratic regression, funds conditionality, threats to academic freedom, and minority-rights violations. At the domestic level, key institutions avoid producing or preserving the very documents that would translate this knowledge into adequate protection for rights-holders.

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The core claim of ***Gatekeeper of Rights V*** is that this split memory regime is itself a breach of the rule of law. A system that remembers rights violations only at the supranational level, while forgetting them domestically, fails to meet the Charter's promise of effective remedies and undermines the mutual trust on which the EU's internal market and higher-education frameworks depend. Until this gap is closed—by restoring domestic institutions' willingness to remember their own critical findings—the protection of foreign students and other vulnerable groups will continue to depend on external archives, conditionality levers, and individuals' willingness to document what national watchdogs prefer to forget.

6 Conclusion and avenues for further research

This article has argued that contemporary Hungary operates under a **split memory regime**. At the ***EU level, Parliament, the Commission, the Council, and the Court of Justice*** have built a dense supranational record of democratic backsliding, including explicit concerns about academic freedom and higher-education governance. At the domestic level, however, key watchdog and ***quality-assurance institutions***—most notably ***AJBH, NAIH, and MAB***—have treated a concrete ***whistleblower case in an English-language medical program*** as a problem to be administratively contained rather than substantively resolved. The result is a system in which rights violations are recorded and remembered in Brussels, Strasbourg, and open-access academic archives, but are procedurally neutralized, buried, or erased in Budapest.

The ***Semmelweis University case*** shows how this split memory undermines the core promise of the rule of law: that individuals can obtain effective remedies from national institutions. Denial of access to core educational infrastructure is compounded by the Ombudsman's closure of a whistleblower file on service technicalities, the slow and opaque progress of data-protection investigations, accreditation bodies that archive but do not act, and university leadership that seeks to suppress external documentation rather than issuing reasoned rebuttals. Against this background, ***EU conditionality and Article 7 procedures*** cannot be evaluated solely on the basis of headline funding figures or legal doctrine. Their effectiveness depends on the existence of **domestic memory practices**—archiving, publication, reasoned decisions—without which supranational pressure has little to connect to on the ground.

Future research could extend this analysis in at least three directions. First, comparative work across EU Member States could test whether similar split-memory patterns are emerging in other jurisdictions under ***rule-of-law scrutiny***, particularly in sectors such as higher education, healthcare, and local government, where foreign citizens are structurally dependent on domestic oversight bodies. Secondly, more systematic mapping of **NHRI and Ombudsman archiving practices**—including the availability, removal, or downgrading of historical opinions—could provide a concrete indicator for use in ***Rule of Law Reports*** and conditionality assessments. Thirdly, the role of **open-access scholarly repositories** as de facto shadow archives of contested cases warrants closer examination: both as a tool for rights-holders facing domestic amnesia, and as a potential evidentiary source for EU institutions, accreditation agencies, and foreign regulators assessing mutual trust in qualifications and institutions.

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The ***Semmelweis whistleblower case does not constitute definitive evidence that Hungary's oversight infrastructure has become irreparably compromised***. Nonetheless, it serves as a **cautionary indicator**. When a *solitary student must depend on SSRN uploads, cross-border accreditation correspondence, and European Union-level resolutions to safeguard the fundamental memory of their treatment, it signifies a fundamental shift in the balance between supranational remembrance and national remedies*. Unless this imbalance is rectified—by reinstating domestic institutions' willingness to remember and act upon their own critical findings—the protection of educational and fundamental rights within Hungary will continue to rely on external actors and archives beyond its legal jurisdiction.

Looking forward to the 2026 Rule of Law cycle, the Semmelweis case, along with the patterns outlined in *Gatekeeper of Rights V,* is likely to become increasingly relevant. The ***European Commission*** has already indicated that judicial independence, anti-corruption measures, and the governance of foundation-run universities will continue to be crucial in evaluating Hungary's compliance with Article 2 of the ***Treaty on European Union*** and the conditions for the disbursement of the ***Recovery and Resilience Facility. The Parliament's second interim report under Article 7*** and ongoing restrictions related to Erasmus+ and Horizon programs exemplify that higher education is now firmly encompassed within this rule-of-law framework. Should domestic actors persist in responding to well-documented rights claims with procedural evasion, silence, and retaliation—rather than reasoned decision-making—by 2026, the Semmelweis case will illustrate why supranational memory and budgetary conditionality have become the European Union's most reliable mechanisms for safeguarding academic freedom and student rights in Hungary.

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